The New-York Times.

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NEWS BY TELEGRAPH.

INTERESTING FROM WASHINGTON.

The Proposed Treaty with Mexico—Probable Transfer of the Negotiations to Washington—The British Embassy to the Island of San Juan—Miscellaneous News.

Special Dispatch to the New-York Times.

WASHINGTON, Friday, Sept. 23.

The private secretary of Señor LERDO left New-York on Tuesday last, as bearer of dispatches from Señor MATA to his Government, via New-Orleans. This messenger expects to reach New-Orleans in time for the steamer of the 27th inst., arrive in Vera Cruz by the 1st of October, leave again on the British steamer of the 5th for Havana, and reach this city by the middle of October.

Mr. MCLANE anticipates leaving for Vera Cruz on the 2nd of October, unless negotiations shall be transferred to Washington, as urged by Señors MATA and LERDO upon President JUAREZ, in their late dispatch to the Government.

In the meantime, I have reason to believe that the *treaty will be the subject of discussion* between the parties here—not with a view to conclude a negotiation, there being no authority for that as yet, but with the hope that some plan may be devised by which both parties may be satisfied, without doing violence to *the rights of either, and the treaty be signed* and delivered in time to receive proper notice in President BUCHANAN'S Annual Message to Congress. Both Governments feel confident that a favorable conclusion of the negotiation will be reached.

I ascertain it to be a fact that the British Government has ordered a distinguished military commander to Gen Juan Island, with instructions similar to those furnished Gen. SCOTT by our own Government. Both officers go out to preserve peace, and, as their reputations are made, they can afford to prevent a collision.

Mr. JAMES, a new *attaché* of the British Legation here, is expected to arrive in the next steamer.

Secretary FLOYD has improved in health since his sojourn at Old Point Comfort.

Gen. JESUP, Ordnance-Master-General of the United States Army, is lying very ill in New-York. His daughter was telegraphed for to-day.

It is rumored that Major CROSS has been acquitted by Court-Martial, but as the papers of the case have been transmitted to Secretary FLOYD for consideration, the rumor is a mere surmise.

Baron BODISCO, the Russian Minister, now absent in New-York, has lately had a diplomatic "set-to" with Secretary CASS, relative to the traders in Russian America and their objectionable monopolies.

A steamship will sail from Boston for Spezzia about the 5th of October. Q.

[FROM THE REPORTER FOR THE ASSOCIATED PRESS.]

WASHINGTON, Friday, Sept. 23.

PERRY McD. COLLINS, Esq., Consular Agent at Amoor River, Asiatic Russia, has arrived in this city, and expects to sail in the course of a few days on his return thither, by the way of St. Petersburgh.

It appears from his statements that American commerce at the Amoor is steadily increasing, several ships having sailed from the United States to participate this year in its rich trade. They have taken out assorted cargoes of merchandise, including cotton goods, wines, liquors, ships' stores and chandlery, all kinds of hardware, machinery, steam engines, &c. There are now on the waters of the Amoor five steamers built in this country. A Russian officer, Capt. DAVAUNOFF, at present in New-York, is superintending the construction of steam engines and machinery, to be placed in gun-boats to be constructed on the Amoor, which is navigable for steamboats at least twenty-five hundred miles. The climate is similar to Northwest Canada, and the agricultural productions about the same. The principal value of the country, as yet developed, is for its furs and minerals, but when the steam navigation shall be fully established, the trade will be immeasurably increased in other productions, and Siberia and Tartary will add their treasures to those of the Amoor country. From Moscow to the head of the Amoor, a distance of 4,000 miles, are upwards of five hundred cities, towns and villages of industrious inhabitants. The Amoor Company this year sent to the Amoor River three or four vessels with full cargoes, together with iron steamers, to initiate their project, namely, to unite the mouth of the Amoor with Siberia by a regular line of steam packets.

The present ukase of the Emperor of Russia, permitting Siberian exiles to emigrate to the Amoor, is with a view of settling the shores of that river, and developing the resources of the country. The construction of railroads is contemplated, and also lines of telegraph connecting with Moscow and other distant points.

All these movements of the Russian Government are regarded with great interest, as they cannot fail to open to American commerce a large and valuable market to many of our manufactures. Considering our diversified interests, including those of whaling in the North Pacific, and contiguous to Siberia and the Amoor, the opinion prevails that we should have a Consul-General, instead of a Consular Officer of comparatively an insignificant grade, with an insufficient salary.

The receipts of the Treasury last week amounted to $688,000; the drafts issued, to $1,158,000. The amount subject to draft is $4,405,000.

A dispatch from Old Point Comfort states that the health of the Secretary of War is improving.

Interesting from the Kansas Gold Region.

ST. LOUIS, Friday, Sept. 23.

The Denver City Express of the 15th, has reached Leavenworth, bringing $23,000 in dust, the largest amount yet received in a single shipment.

Returns from eleven mining districts give a majority of 1600 against a State Constitution; a vigilance committee had been organized in consequence of the frequency of depredations upon property, and three thieves had already been banished.

LEAVENWORTH, Friday, Sept. 23.

The proposition for a State organization for the Pike's Peak country was defeated.

The mines were yielding more abundantly on account of an increased quantity of water. The Bayou Salado mines were realizing from an ounce to one hundred and fifty dollars per day.

The Southern Pacific Railroad.

NEW-ORLEANS, Friday, Sept. 23.

Late advices from Marshall, Texas, state that President FOWLER, of the Southern Pacific Railway, has made a final settlement with the new Company and creditors, and obtained full possession of the road, and that the work will be recommenced immediately.

Monument to Revolutionary Patriots.

BOSTON, Friday, Sept. 23.

The 200th anniversary of the settlement of the town of Chelmsford, Mass., was observed, yesterday, by the dedication of a granite monument, erected to the memory of those patriots of the town who lost their lives in the cause of independence. The exercises consisted of an address by Dr. WILLARD PARKER, of New-York, and a procession and dinner, at which sentiments were given and appropriate speeches made.

Murder in Manchester, N. H.

MANCHESTER, Friday, Sept. 23.

BRIDGET RILEY, who for some years has been employed in factories here, was found this morning, murdered, in the lower part of the city. The body was shockingly mangled. The occupants of the premises are Scotch and Irish, but denied all knowledge of the tragedy. BRIDGET was about twenty-five years old. A Coroner's inquest is investigating the matter.

News from Northern Mexico.

NEW-ORLEANS, Friday, Sept. 23.

Monterey advices of the 13th, state that Gen. MEJIA was there conferring with VIDAURRI. VELEZ, with 700 men and four guns, holds Guanajuato, and had hastened a number of liberals. MIRAMON was sending 4,000 men for Northern Mexico.

The International Cricket Match.

MONTREAL, Friday, Sept. 23.

The English cricketers have just arrived here from Quebec. They are in fine condition and ready to play at short notice. It has been raining all day, and the match has not been commenced. The weather is now clearing, however, and play will be commenced to-morrow.]

The Europa Outward Bound.

SACKVILLE, N. B., Friday, Sep. 23.

The R. M. steamship *Europa*, from Boston, arrived at Halifax to-day and sailed shortly afterwards for Liverpool.

There are as yet no signs of the steamship *Baltic*, which left Liverpool on the same day with the *Arabia*.

Sailing of the Jason from St. Johns.

ST. JOHNS, N. F., Thursday, Sept. 22.

The steamship *Jason*, from *New-York* 15th, arrived at this port at 2 o'clock Wednesday morning, and sailed hence for *Galway at 8 o'clock the same evening.*

EFFECTS OF THE STORMS.

Great Freshets in Pennsylvania—More Disasters on the Coast—Tornado in South Carolina.

Brief dispatches appeared in yesterday's TIMES, giving accounts of freshets in the Lehigh and Delaware rivers, in Pennsylvania. This morning we have additional telegraphic intelligence, to the effect that the rise in the Lehigh has been so considerable as to almost entirely submerge the village of Manch Chunk. The damage done in various localities must be very considerable.

MAUCH CHUNK, Friday, Sept. 23.

The heavy rains which have been falling in this vicinity during the whole week have raised the Lehigh River fully eight feet above its ordinary mark. Our streets are overflowed, the water being from one to three feet in depth, and all our cellars are flooded. Citizens are moving about in boats, saving what property they can. It is impossible now to estimate the damage, but it must prove to be immense.

EASTON, Friday, Sept. 23.

The Lehigh and Delaware rivers are both rising rapidly. A serious break in the Delaware Canal at Yardleyville is reported. It is said that forty feet of the embankment is washed away.

EASTON, Friday, Sept. 23, P. M.

The damage to the East Pennsylvania and Lehigh Valley Railroads has been repaired, and trains are running regularly.

READING, Friday, Sept. 23.

The flood is subsiding in Eastern Pennsylvania, and the Reading Railroad trains are now running regularly on time. All the canals are overflooded, and *the boats are not able to run; several bridges are also* gone.

THE RISE IN THE OHIO.

PARKERSBURG, Va., Thursday, Sept. 22.

The Ohio River at this point, two hundred miles below Pittsburg, is twelve feet deep in the channel and rising fast. There has been steady rain for the past twenty-four hours.

VESSELS ASHORE ABOVE SQUAN INLET.

SQUAN, N. J., Friday, Sept. 23.

The brig *Mason B. Davis*, of Boston, Capt. O'NEAL, from Savannah with a cargo of mahogany and palm leaf, consigned to order, is ashore six miles north of Squan Inlet. The schooner *Harrison Jones*, Capt. GANNON, from Florida, with a cargo of red cedar, is also ashore near the same place. Both vessels are bound to New-York. All hands saved.

THE LATE GALE AT THE SOUTH.

FEARFUL TORNADO IN SOUTH CAROLINA—GREAT DAMAGE TO PROPERTY.

A correspondent of the Sumpter *Watchman*, writing from Mechanicsville, Sept. 17, gives the following account of a tornado which had visited that locality:

"It is our sad duty to chronicle the occurrence, on yesterday, of the severest tornado that has ever swept through this region of our country. About 1 o'clock, P. M., a black cloud, lying in a westerly direction, seemed by some inherent power to accumulate the rage of the elements and vented itself in the form of a whirlwind. Its damages commenced somewhere upon the plantation of the late Col. JOHN A. COLCLOUGH, and sweeping along in a direction from South to North, struck with its greatest fury upon the settlement of our esteemed friend and valued fellow-citizen, Col. JAMES E. REMBERT, whose well-improved and beautiful premises are literally demolished. The scene this morning beggars all description. I could not, were I to attempt it, do justice to the real state of facts. Suffice it to say, there is not a single building in the yard or barn-yard left intact. The dwelling, which is a handsome and costly structure, is unroofed, the sash all broken out, the walls thrown out of plumb and otherwise seriously injured. The out-buildings, gin-house, screw, barns, stables, and carriage-house are all laid waste and their contents scattered broadcast over the premises. It is indeed a mournful sight to behold the wreck. The damage at this early day cannot be properly estimated, but it must be very heavy.

The labor of a life-time destroyed in a day! What a commentary upon the vanity of our possessions! I must not forget to mention that two negroes are injured, (one of them the doctor thinks seriously,) and a considerable quantity of stock of various kinds, together with all the poultry on the place, are killed. The neighbors, of course, sympathize deeply with our friends in this great calamity, and are doing all that is in their power to alleviate the distress of the family.

P. S.—Since writing the above, news has reached us that the storm extended as far as Bishopville, and several persons sustained heavy losses, though we are not informed as to what extent."

The annexed account is from a correspondent of the Columbia *South Carolinian*:

"On Friday last, we had in this section of country quite a severe hurricane. At Gopher Hill, it tore up numberless trees, demolished several carriages, and blew a pine on a kitchen in which there were thirteen little negroes, who saved their lives by seeking refuge under a bed. I understand on some of the plantations, near Bennettsville, over in Marlboro, there is not a single house standing, the wind blowing down every thing, and killing several persons, both white and black. I understand it carried a negro woman two or three hundred yards out into the field, killing her dead. In the vicinity of Cheraw, it blew down some few trees, otherwise did little harm."

THE STORM IN VIRGINIA.

The Alexandria *Gazette* thus sums up some of the *effects of the Equinoctial in Virginia*:

"Trees, fences, signs, and chimneys, were blown down. A portion of the blacksmith shop at the Virginia Locomotive and Car Works was blown over, and we have heard of other damage to property in this city and neighborhood. The cars on the Orange and Alexandria Railroad were delayed, waiting for the Central and Manasses Gap trains at Gordonsville and Manassas Junction, but these failing to connect, the Orange train came on through, arriving here about 2½ o'clock. The Aquia Creek steamer came up an hour later than usual in consequence of the storm, and the steamboats between this place and Washington were unable to run during the greater portion of the day. The ship *Silver Star*, lying at FOWLE & Co's wharf, parted her moorings, but was secured before she drifted off. At 7 o'clock, on Saturday evening, the Manassas train reached the depôt here, having been detained at Kendrick's Cut, above Strasburgh, in which the water was five feet deep. The country along the line is reported to have been literally flooded."

ON THE GULF COAST.

In Mobile and vicinity, the storm was quite severe. The subjoined account is from the Mobile *Register* of the 17th:

"From all the accounts received, the storm of Thursday night was more disastrous elsewhere than here in the city. In several of the stores on Commerce and Front-streets, above St. Francis, the water covered the floors, in some instances six or seven inches, to the injury of sugar, flour, bagging, &c., which occupied the lower floor. Many of the merchants were actually engaged in removing their goods to the second stories, employing help at *the* rate, per hand, of $2 an hour. Other than this the damage was slight, being confined principally to the destruction of awnings, signs and window-glass, and the flooring of a number of large and beautiful shade trees.

At Point Clear nearly all the bath-houses and wharves were swept away, and the sojourners were much alarmed.

Higher up, on the Eastern shore, every wharf and bath-house, except Hudson's and Stark's, is gone.

In the neighborhood of Short's wharf, two oyster boats capsized, one called the *Sea Bird*, and two persons, names unknown, were drowned. It was only by excellent management that the steamer *Junior* was saved thumping to pieces on the beach, whither she had been blown, dragging her anchor nearly a quarter of a mile.

The steamer *Flirt*, which left for up the river about 5½ o'clock on Thursday evening, returned before daylight yesterday morning, with the loss of her chimneys."

The Massachusetts House of Representatives, by a vote of 142 to 31, have expunged the word "white" in the militia laws, which has hitherto stood a hindrance to the organization of colored military companies. This matter was debated at great length in the Constitutional Convention in 1853. There seemed to have been a concurrence of opinion in that body that there was no constitutional barrier in the way of colored men becoming members of the Massachusetts military companies; but it was contended that if the Massachusetts militia was itself a part of *the militia* of the United States, colored men could not be enrolled in it. *The Senate have not yet voted upon the* matter.

THE BOUNDARY DIFFICULTY.

Additional News from San Juan Island—Position of Affairs—Movements of U. S. Troops—Proceedings of the Colonial Legislature.

The Overland Mail brings us further particulars of the difficulties at San Juan Island, received at San Francisco by the steamer which left Victoria on the 23d August. The report of the landing of another detachment of U. S. troops on the Island is confirmed. The camp had been removed to a piece of woods immediately behind the barns belonging to the Hudson's Bay Company's station, and a company of sappers and miners was expected from Vancouver, for the purpose of erecting fortifications.

A correspondent of the *Gazette*, writing from the Island under date of Aug. 17, thus describes the condition of matters there:

I left Victoria last Saturday evening, (13th August,) on the U. S. M. steamer *Fulton*, Capt. BOUTELLE, for this port, and upon arriving found at anchor in the harbor H. M. S. *Tribune* and *Satellite*, and U. S. steamers *Massachusetts*, *Active* and *Shubrick*, which, with our own steamer and the scow-schooner *Gen. Harney*, gave the place quite an air of business importance.

The *Harney* was engaged in landing a battery of eight 32-pound guns from the *Massachusetts*, which were placed "in due form" upon the ridge of the peninsula, six commanding the anchorage, the other two turned to the westward and commanding the waters beyond and in front of the United States troops. Everything on shore was quiet, and nothing had transpired of a nature calculated to provoke or threaten a landing and consequent collision.

Prompt legislative action in relation to the difficulty had been taken by the House of Assembly of British Columbia. On the 12th August the House adopted the following address to Gov. DOUGLAS:

"The House acknowledges the receipt of your Excellency's communication of the 3d instant, (published in the *Gazette* of 10th August,) relative to the clandestine invasion of San Juan Island by United States troops, and the steps to be adopted in relation thereto. Since that communication, it is well known that additional forces have been landed. The House would, therefore, respectfully inquire why the British forces were not landed, to assert our right to the Island in question, and to uphold the honor of our country and our Queen.

The House would most urgently impress upon your Excellency to enforce upon her Majesty's Government the necessity of demanding from the Government of the United States not only the immediate withdrawal of all her troops, but also strenuously and at all risks to maintain her right to the island in question, and also to all other islands in the same archipelago, now so clandestinely, dishonorably and dishonestly invaded. It is not for our country to be wantonly and insolently insulted, but redress must be demanded.

The weakness of the colony is its greatest danger, and at the same time an inducement for the repetition of similar offences by similar persons. Let it, therefore, be urged upon her Majesty's Government, that sending out colonists rapidly from Great Britain is the surest way not only of maintaining peace, but of preserving intact her Majesty's possessions. Coupled with this, the House would propose that free and liberal grants of land be given to such emigrants, after settling thereon for a certain time.

On the same day, Mr. SKINNER gave the following notice of a recommendation to embody a militia force:

Considering the critical state of political affairs throughout the world, and the position of the whole of the British Empire in relation thereto, it is desirable this Colony of Vancouver Island should not be behind the rest of the other Colonies in making such preparations as shall enable it well to defend its loyalty, should occasion at any time arrive for it; this House would earnestly recommend your Excellency to take such steps for forming such volunteer corps as may appear the best adapted to meet the above object.

On the 16th this motion was adopted, and the following debate took place:

Mr. YATES offered a resolution, calling upon the Governor to furnish the House with a copy of the instructions to the naval officers, relating to the landing of British troops on San Juan Island. He stated that the reason of his offering the resolution was that he had heard that Gov. DOUGLAS gave positive orders for the landing of troops, and he wanted to know why they had not been landed.

Mr. PENDERTON objected to the motion, thought it an unusual proceeding, and it might be detrimental to the public interest.

Further opposition being expressed to the motion by other members, it was withdrawn.

Mr. SKINNER brought forward his motion (given above) urging upon the Governor the great importance of forming volunteer military companies, in view of the present state of affairs throughout the world, and the threatening relations existing between this colony and American officials at San Juan Island. Mr. SKINNER was in favor of organizing efficient military companies, not such tomfooleries as he had seen in this colony in times past.

Mr. HELMCKEN thought the boys in our schools should be taught the use of arms and the soldier's manual.

Mr. YATES remarked, it would be a long war if it was not over before the boys became serviceable.

Mr. PENDERTON was opposed to teaching the boys anything of the sort. He was of opinion that boys learned to fight too soon already.

The motion was adopted.

The Victoria *Gazette*, 18th, says:

There is a report on the street that a "Council of War" was held at Government House on Tuesday, [16th]; the subject, the difficulties growing out of the occupation of Bellevue Island by American troops, and more particularly their avowed intention of erecting fortifications. The "war party" have taken renewed offence at the proceedings of Lieut. Col. CAREY to fortify the Island, which they declare, under present circumstances, is little less than an open declaration of war, and this Council was called at their instigation. The Council consisted of His Excellency Gov. DOUGLASS, Admiral BAYNES, Colonel MOODY, Judge BEGBIE, and Captains DE COURCY, PEVOST, and HORNBY, and very exciting speeches are said to have been made. Explanations from the United States officers were strongly insisted upon by several members of the Council, which, if unsatisfactory, then active hostilities were to be inaugurated. The final result was, that the "fire-eaters" failed in their efforts, and the previously agreed upon course of waiting orders from home was determined upon. We cannot vouch for the entire truth of these rumors and street conversations, and merely put them in print as portions of current history.

The Victoria *Colonist* of the 22d intimates that a memorial to the Queen is in preparation.

The latest report is to the effect that the American forces on the island would soon be increased to 2,000 men.

FROM UTAH.

Murder of Mr. McNiel—Discovery of a New Route to Salt Lake City.

Correspondence of the New-York Times:

SAN FRANCISCO, Friday, Aug. 26, 1859.

The Special Correspondent of the TIMES, writing from Salt Lake a year ago last June, gave you an interesting narrative of the experience of FRANK MCNIEL, of Louisiana, while a "prisoner of war" in Mormon hands. MCNIEL having suffered greatly by the persecution of the traitors at Salt Lake, determined, after the arrival of the army there, to remain in the Valley until he could bring to trial a civil suit against BRIGHAM YOUNG for false imprisonment. A very general sympathy was felt in the case, for the reason that it was looked upon as a *test* case; and if MCNIEL could obtain damages for his mal-treatment, there were many others who proposed to institute similar proceedings. We just learn here by the Salt Lake mail that MCNIEL was murdered in cold blood, in Salt Lake City, the night before the trial was to have commenced.

MCNIEL had received several "warnings" from different sources, that unless he discontinued his action, or, at least, ceased, his pursuit of BRIGHAM YOUNG, he would be "cut off." Being a stubborn man, not *easily intimidated, he persisted* in urging his case. On the night of the 8th, (the day prior to the trial,) he had occasion to leave his bed-room about 12 o'clock. As he stepped out, three men quietly gathered about him, and one, putting the muzzle of a pistol almost against his person, fired it off. MCNIEL fell, pierced by the ball, which had entered at one side, and passed out through the other. He was taken up, and lingered 24 hours, when he died. In his dying declaration, he denounced a Mormon desperado called LOT HUNTINGTON as his assassin. HUNTINGTON was arrested, and examined before the Federal authorities for the crime. The Mormons adduced such positive testimony to establish his innocence at the preliminary examination, that the Judge was compelled to discharge him. The Gentile population, generally, were satisfied that HUNTINGTON had been guilty of the crime; but a thousand precedents satisfy everybody familiar with Mormon history that none of them will hesitate at perjury to screen from punishment by law whoever has committed a crime for the "good of the Church." How long will such proceedings as these be permitted to pass unchecked?

I learn that Capt. STEPTOE, of the Topographical Engineers, has discovered a route between Carson Valley and the valley of Great Salt Lake even shorter than the route which he had been sent up to explore. He states that the new route is quite straight, and as equally good, if not a superior road, in almost every respect, to both the old immigration line and the new line just discovered by himself. The facts of the Surveying Expedition have been reported to Gen. JOHNSTON, and it is probable that hereafter the bulk of the travel between California and Salt Lake will go by the last discovered route. The agent at Camp Floyd, of the well-known firm of HOLLADAY & RUSSELL, in the *Salt Lake trade, writes, under date of Aug. 10, to Mr.* BEN. HOLLADAY, who is now in this city, as follows:

Captain STEPTOE has discovered a route to California better than any yet found. There is good grass and water all the way. There will be no trouble in taking stock over it. He says that it is equally as good as the Northern route. We have a copy of his itinerary of the route, giving all the water, grass and wood, camping places and general directions. We made three copies, and gave each man in charge of H. & R.'s [HOLLADAY & RUSSELL'S] cattle a copy. Every one says that cattle can be driven over it as far as Carson Valley so late as November—that is, to *start here in November*. The longest drive without water is one day, with cattle.

Mr. HOLLADAY is satisfied that by this new route the stage travel between Placerville and Salt Lake City can easily be made in four and a half or five days.

THE PACIFIC COAST.

Later from California, Oregon and the Sandwich Islands.

Correspondence of the New-York Times.

SAN FRANCISCO, Friday, Aug. 26.

There is little of local interest transpiring with us at present. The political campaign goes on apace, and continues to be marked by much bitterness. There seems to be no probability of an open fusion between the Republicans and the Anti-Lecompton men, but the chances are that they will fuse on the Congressional ticket, in favor of MCKINNEY and HALL, the last of whom is a Republican candidate. The Anti-Lecompton vote bids fair to be a large one, and MCKINNEY will be elected if he gets the full Republican vote. He is very confident of success. C. L. SCOTT's chances for reelection are not so bright as they were; but still I have little doubt that he will win the race, by a very much reduced majority. The Administration State ticket certainly must be elected, if there is no hearty fusion between the elements of opposition to the Administration. There is a possibility, however, that the Anti-Lecompton candidate for State Printer, JOHN O. MEARA, may be elected.

Yesterday morning, JAMES TURRELL, Chief of the Placerville Fire Department, and Superintendent of the Pacific Quartz Company, committed suicide by blowing his brains out with a pistol. TURRELL was highly respected by everybody in the community, and it is supposed that he committed the rash act while in a fit of temporary insanity.

WM. SPOOR, a native of Boston, and long connected with the police of that city, died suddenly in this city, night before last, of apoplexy.

OREGON.

The steamer *Pacific*, arrived here this morning, brings Portland dates to the 23d inst.

A rumor prevailed at the Dalles that Capt. WALLEN'S command, consisting of 140 well armed and equipped men, had been massacred by the Snake Indians, at Warm Springs. A private letter to Portland, says the *Advertiser*, reports this disaster, and upon Indian authority, and says the Indian agent at the Dalles believes it true. Capt. WALLEN'S command consisted of Company E, First Dragoons, commanded by Lieut. SWEITZER, about 60 strong; some 30 sabres of Company H, same regiment, about 40 privates of Company H, Fourth Infantry, and a detachment of 10 Sappers and Miners, armed as riflemen—an aggregate of about 140 rank and file. This force, if not attacked at great disadvantage of situation, should have been able to make head against any body of men which the Snake Indians could muster; and I confess that I have little faith in the statement that the party has been cut off.

A gentleman vouched for as one well acquainted with the Indians east of the Cascades, gives the following statement, which may be the basis of the rumor of disaster to WALLEN'S command:

"An Indian was on John Day's River hunting horses. He reported that on his return he met three men, bare-footed and bare-headed, almost starved, trying to make their way to the Dalles. They told this Indian that the Snakes attacked Capt. WALLEN while passing through a cañon, cut them off and killed all but four who made their escape. These three men say they were of the party."

SANDWICH ISLANDS.

The bark *Yankee*, which arrived here on Tuesday last, brings us details of news from the Hawaiian Kingdom to the 30th of July.

The American bark *J. B. Lancaster* foundered off Moloka Island, one of the Hawaiian group, on the 16th of July. This vessel sailed from San Francisco on the 28th of June last, for Sydney and Melbourne, with a cargo consisting of 7,504 bags of rice, 333 hhds. of ale and 50 flasks of quicksilver, manifested of the value of $32,000. The *J. B. Lancaster* was owned in Philadelphia, was six years old, an extreme clipper model, and cost originally $95,000, but was insured in Philadelphia for $50,000. The cargo, owned by DANIEL GIBB & Co. of this City, was also insured.

KANSAS POLITICS.

Southern Kansas—Capt. Montgomery Nominated for the Legislature—Troubles Apprehended—Pickles Demanded, &c.

Correspondence of the New-York Times.

LAWRENCE, Kansas, Thursday, Sept. 15, 1859.

I have just returned from a trip into the Counties of Franklin, Lykins and Johnson. The weather has been very pleasant during the past week; the crops look well and promise an abundant harvest. Corn never made a better appearance since the first settlement of our Territory.

The notorious and much-abused, hated and feared Captain of a Kansas Company of "Jay-hawkers," JAMES MONTGOMERY, has been nominated for the Territorial Legislature in Linn and Lykins Counties. The sentiment is decidedly in his favor in that District, and he will be elected by an overwhelming majority.

PICKLES, or WRIGHT, the person kidnapped from Kansas and incarcerated in a Missouri jail, remains there still. His release has been demanded; refused by his captors, again demanded, with a threat to rescue him at the point of the bayonet if not complied with; again refused.

The affair has not yet culminated in any outbreak or attempted rescue, but all are expecting something to turn up. No one thinks that Capt. MONTGOMERY will make a threat and not execute it at all hazards; but all are on the look-out for news from Southern Kansas to the effect that MONTGOMERY, with his men, have crossed the State line and gone into Missouri, to demand, in terms not likely to be misunderstood, the immediate and unconditional release of his old companion in arms, PICKLES.

MONTGOMERY is reported as having said in a speech at Mound City a short time since, that if he ever was compelled to "go over into Missouri again with his men, he was determined to remain there until that State was free. He had the men; he would augment his strength as he went; he would emancipate the slaves, and render it impossible to hold them as property in that State any more."

It is hoped that wise counsels will prevail, and the kidnapped citizen of Kansas released, and an outbreak prevented.

Everywhere the people are earnest and enthusiastic in their support of the new Constitution. In many settlements the opposition to its ratification is confined to the postmaster appointed by BUCHANAN.

A large majority will be polled for its adoption; Congress and the Administration permitting, it will become the organic law of the State. The officers elected to office under it cannot do anything in an official capacity until notice has been received of its acceptance by Congress, and our admission into the Union as a State.

It was announced at the opening of Judge PECKY'S Court in Leavenworth City a few days since, that the indictment found against DANIEL R. ANTHONY, CHARLTON VAUGHN, WELD, GARDNER, HAILEY and others, for an alleged violation of the Fugitive Slave Law, in the rescue of CHAS. FISHER last Winter, had been stolen from the Clerk's office.

The Grand Jury was instructed to find new indictments against them, which they will probably do, and the case will be tried at the next terms. The jury has been packed pretty effectually by the Marshal—only one Republican, the rest are mostly Pro-Slavery men.

JACQUES.

The Baltimore Press and Mayor Swann.

The Baltimore papers decidedly object to the tone in which Mayor SWANN, in his late Message, spoke of the relation of the newspapers with the rowdy violence which has been the chief characteristic of that city for so long a period. In the course of an article reviewing sharply the Mayor's sweeping assertions, the *Exchange* holds the following language:

"This wholesale abuse of the Press is at present the customary argument of politicians whose dignity it has ruffled, and of rulers whose incapacity it has demonstrated. But its strong and well-established position cannot thus easily be shaken. Sometimes, it is true, it is directed by ignoble hands and swayed by the ignorance or low instincts of those who for a time control it, but in the main it is at least as wise and upright as the generation to which it speaks. In some quarters of the civilized world every hour beholds it struggling to maintain the right, or to repress the excesses of the people and the tyranny of princes. Day by day it is gaining power and rising in the public estimation as men of higher culture and loftier intellect than ever heretofore, are enlisting in its service. It achieves more good than the best of 'city governments' has ever dreamed of, and it will outlive the anger of whole dynasties of mayors."

The *Sun* introduces its review of the Message as follows:

"In the address of the Mayor 'To the People of Baltimore,' there is a persistent effort to attach *responsibility for the lawlessness* and crime which disturbed our city to the Press; the further effort is apparent to particularize the Independent Press; and *in two special subjects of reference one relates* to the *Sun*, and the other to the *Sun* in common with other papers. We cannot think it necessary to add anything to what has been already said in refutation of the absurd fallacy that the relation of outrages in the columns of the newspapers can possibly involve accountability for the perpetration of the outrages. And when to the relation of such outrages, and the earnest remonstrances of the Press, the cause of the ill reputation of the city is ascribed, we meet with a fallacy no less absurd. Our municipal ill repute comes from these outrages themselves; the record of them is a duty the Press owes to the public; the suppression of them is the duty the authorities owe to the public. But we say this, that so long as party ends are to be subserved by fraud and violence at our elections, and *so long as men unscrupulous enough to give their* money, influence, sanction or tacit connivance to the encouragement of fraud and violence to produce given results through nominal elections, are tolerated in public life, so long will lawlessness, vice and *crime wield a proportionate influence in this com*munity disastrous to its reputation and welfare."

AGRICULTURAL FAIR IN RHODE ISLAND.

Address by J. Stanton Gould of New-York—General Features of the Exhibition.

Correspondence of the New-York Times:

NEWPORT, Wednesday, Sept. 21.

The Eighth Annual Exhibition of the Aquidneck Agricultural Society commenced yesterday at their Fair Grounds, a short distance from this city. The weather was lowry and uncomfortable, yet not deterring from attendance the more enthusiastic admirers of "native true nobility." A little rain is no obstacle to these hardiated farmers and their sympathizing wives, who came in from miles around in their ox-carts and wagons, and whatever other vehicles proved most accommodating. To give the occasion a gala appearance, the "Star Spangled banner" was displayed from an elevation, and GILMORE'S Germania Band were employed to discourse national airs and country polkas.

The first day of the Fair was devoted to the reception and arrangement of stock and the various articles on exhibition, so that to-day is in fact the opening-day. The appearance of the ground partakes of that of all fairs—musters and public out-door celebrations. The omnipresent Yankee hawking his "salves" and "compounds," and giving every one a chance to look through a brick for only one cent, and to expand their lungs to an incomprehensible degree for five cents more. Caterers of gingerbread and candy find enough patronage to erect their canvas booths, and a few cute "sharpers" occasionally "rope" in a verdant youth.

The stock displayed consists of fat cattle, working oxen, steers, single cattle, bulls, bull calves, cows, heifers, heifer calves, sheep, lambs and swine. In the Department of Cattle the Exhibition is probably as fine as can be produced in New-England. Most of them are working oxen, and of a very superior quality. There are Durhams, Short-horns and Alderney, from farms on the Island of Rhode Island, (anciently called Aquidneck,) all of which are noble specimens of their kind. There exists on the island an ox known to be 24 years old, and owned by L. BATEMAN, of Newport, which was designed as a contribution to the Fair, had not the foul weather prevented. Mr. BATEMAN challenges the whole country to produce a similar animal, in respect to age and the condition of the animal. Its weight is 1,800 pounds. The display of cows and calves is good for the number. One very small cow, not larger than a six months' calf, gives six quarts of milk per day. The sheep are fine specimens, consisting chiefly of Southdowns. The mutton and lamb of Newport is famous over the country. Swine are contributed quite largely, and are admired by the judges. The Horse Day occurs to-morrow, so there are none on the ground to-day. The poultry is in reality a fine exhibition. There are white turkeys, geese, ducks, and fowl of thirteen varieties, most of them well known.

The exhibition of vegetables and fruit is perhaps as perfect as can here be produced. The hall of the Society is filled with these products. On entering, a large picture of the Rocky Mountain Eagle, surmounting a plow, and bearing the words "Speed the plow" in his talons, reminds the observer of the glorious benefits of Agriculture. Vegetables and fruit of every description are deposited, some for competition and others for show only. The potatoes deserve a special notice on account of size and quality. GEORGE L. FISH, Esq., of Portsmouth, R. I., exhibits 40 potatoes, which fill half a bushel. Onions are of remarkable size, the contribution of one party being 44 to half a bushel. Squashes, turnips, beets and cucumbers are all of excellent growth, and exhibit careful cultivation. The specimens of grapes are confined to Black Hamburg. The ladies have contributed the skill of their hands to this Exhibition, and make it a kind of Home Industrial Fair. Blankets, shawls, worsted-work, crayon-painting, shell-work, (very pretty,) and hair-working, (very neat,) are among the articles. Curious and unique specimens of workmanship are on exhibition, such as ancient Chinese shoes, a Chinese punch-bowl, fresh-water clam-shells gathered in Kansas, a piece of a whale's back-bone (almost as tenacious as that of the Whig Party,) a shoe worn in 1750, a cucumber grown inside a bottle, and others. It appears as if the garrets and cupboards of every farm-house were ransacked to discover something for the Fair. Cynthia made a tidy, Johnny catched and caged some butterflies, and Tommy caught a bat—all of which were speedily conveyed for exhibition at "the Fair." The morning was occupied in the inspection of articles, and in the delivery of the annual address, which took place at noon. It was practical in its nature, and conveyed a vast amount of useful information on its subject.

The address was delivered by JOHN STANTON GOULD, Esq., of New-York, whose theme was the "Cultivation of Grass." After remarking upon the value of grass, and the number and quality of its varieties, he exhibited the statistics of the commodity, showing the great importance of its cultivation. Six-tenths of the whole cultivated area of the State of New-York is occupied by grass, and its annual value in the State was at least $60,000,000. The average production of the meadows of New-York is 86 tons dry hay to the hundred acres. The average production of Kings County is 160 tons to the hundred acres. He found that the difference between the average production of the whole State and this County is not owing to the superiority of its soil or climate, but to the skill of its farmers. He proceeded, then, to classify the grasses into five distinct divisions: 1. Jungle; 2. Aquatic; 3. Marine; 4. Agrarian; 5. Meadow. The best soil adapted for their cultivation is a strong calcareous soil resting on a clay sub-soil, which would resist drouth and heat, and would make a fine, durable sod. A moist sod is shown by experience to be the most favorable. In *wet* meadows, out of thirty plants, four were useful, twenty-six bad. In *dry*, out of thirty-eight plants eight were useful and thirty bad. In *moist*, out of forty-two plants, seventeen were useful, twenty-five bad. By effecting mechanical and chemical alterations, which are tedious and expensive, we can adapt the soil to nearly every kind of grass. The general principles of seeding, were to sow a variety of seed; to sow such only as flower at the same period, the seeds to be exactly adapted to the soil and climate; and to sow such as produce the most nutritive grasses; and lastly and fully, as important, the meadows on a farm should be so arranged as to come successively to maturity. While these principles are generally admitted to be correct, yet they are habitually neglected in practice. He then stated the grasses adapted to sandy soils, calcareous loams, tenacious clays, and proceeded to speak of the principles to be observed in manuring grasses. The second year was the trying year for young meadows. Food must be supplied by manure. *Guano, plaster and ashes should be used next to barn* manures. Two parts of Peruvian guano, one of *plaster and one of ashes, would be found to invigorate* the grass and repress the growth of weeds, and what is of almost equal importance, it will increase the activity of the worms. He then considered the fifth issue of the subject—the irrigation of the soil. My attention was first called to this source of fertility by a visit to the farm of LEONARD D. CLIFT, Esq., of Putnam County, N. Y. Mr. CLIFT has about forty acres under irrigation, which, before they were irrigated, were more difficult to keep in grass than any other portion of the farm. He now takes an immense amount of hay from it, besides much pasture, without the application of any other manure than the simple water that flows over it. Every experiment made within my knowledge has been attended with the most satisfactory results. Irrigation is proved to have the effect of diminishing the number of poor grasses and increasing the number of the better ones. In one very carefully conducted experiment, there were before irrigation, on a given area, 17 grass plants, of 12 varieties. After three years' irrigation there were 27 plants of 9 varieties. There are thousands of streams in the State of New-York which are now wasting their treasures of fertility at the tide waters, which, if skillfully distributed over the gr

FEDERAL POLITICS.

Senator Douglas on the Supreme Court and the Dred Scott Decision—Popular Sovereignty.

We find in the Columbus *Statesman* of the 20th, a full report of the speech of Senator Douglas at Wooster, Ohio, on the 16th. The principal portion of the speech goes over the same grounds as his previous addresses at Columbus and Cincinnati, which we have already published. The following extract, however, is of interest, because it treats a point hitherto only partially discussed, viz.: the relation of the Dred Scott decision to the question of Popular Sovereignty:

We are told by the Republicans on every stump that this doctrine of Popular Sovereignty is dead. They say Judge Taney killed it. (laughter:) that it had its throat cut by the Dred Scott decision; that Popular Sovereignty has no longer a breath of life in its body—for they tell you that the Supreme Court, in the Dred Scott case, has decided that the people of a Territory have no right to determine the Slavery question for themselves while in a Territory. I have no doubt that you have heard this from the Republicans on every stump in the State, but that not one of them undertook to prove it true. There is not one word of truth in the whole statement. The Supreme Court has decided no such thing. *It has not decided that Slavery existed in the Territory by virtue of the Constitution of the United States.* It is true the President of the United States fell into the error of making that statement in his message communicating the Lecompton Constitution to Congress. But *the Supreme Court have not sanctioned the doctrine.* It has declared that the right of property in slaves is distinctly *recognized* in the Constitution of the United States. That the faith of the United States is pledged to protect it in all future time, if the slave escapes from his owner. That the only power conferred in the power coupled with the duty of guarding and protecting the rights of the owner when the slave escapes. This is the power Congress has—to provide for the return of the fugitive slave when he runs away. The Court then goes on to say, that in all other respects, slave property stands on precisely the same footing as all other property. It says that there is no word in the Constitution which confers upon Congress greater power over slave property, or adds one that property to it. The decision then, any other kind of property; and that inasmuch as the Constitution has made no distinction between it and all other property, therefore no department of the Government can make any such distinction. Now I affirm all that doctrine that the Court has held. I affirm each one of the propositions, that Slavery stands on an equal footing with all other property, and that Congress has no more or no less power over it.

Well now, upon what footing does other property stand in the Territories? Has Congress the right to interfere with your horses, your cattle, your wagons, your plows, your merchandize, or your wheat in the Territories? Did Congress ever yet pass a law creating a criminal code for any Territory of the United States? If your horse is stolen in a Territory do you apply to the Federal Courts to punish the thief? Never! If your horse is stolen in a Territory you go to the Territorial Courts, and the man is punished under the Territorial law, and not under the Act of Congress. If a horse is stolen in Ohio, you cannot sue in the Federal Court, because it is a local offence, punishable under the local law, in the local Courts. And so it is in the Territory—murder, rape, arson, robbery, all the crimes that stain the records of our Courts, are punishable in the Territory under the local law. Every description of property in all the Territories of the United States is dependent upon the local law for protection. Life, liberty and property in the Territory are all under the protection and guardianship of the local law, to be administered and enforced by the local authority. Then if Congress cannot interfere with any other kind of property in the Territories, either to exclude it, prohibit it, or protect it, how can it interfere with Slave property in the Territories? According to the Dred Scott Decision the Federal Government cannot interfere in the Territory with Slavery, either for it or against it, and that is the affirmance precisely of my doctrine and your doctrine, and the Democratic doctrine of Popular Sovereignty.

Yet, it is true that I have been represented by my enemies as having attacked the Supreme Court and the Dred Scott decision in my advocacy of Popular Sovereignty. I do not often notice attacks, but I will give one moment to an assault recently made, out of respect for the high authority from which it is said to have come. In the cars, this morning, a friend handed me a pamphlet, entitled "Observations on Senator Douglas' views on Popular Sovereignty, as expressed in *Harper's Magazine* for September, 1859." The pamphlet is anonymous, but the newspapers published it as written by JERRY BLACK, the same man who, last year, wrote letters to Illinois urging Federal officeholders to support Abolitionists to office in preference to the regular Democratic ticket. ["Shame on him," "He's a renegade," &c.] Whether he is the author or not I have no means of knowing, except the fact that it is so stated in the newspapers, and the additional fact that the gentleman who furnished the pamphlet to me received it under JERRY BLACK'S frank. I will read the last sentence of the pamphlet first:

"We are called upon to make a contest, at once unnecessary and hopeless, with the judicial authority of the nation. We object to it. We will not obey Mr. DOUGLAS when he commands us to assault the Supreme Court of the United States. We believe the Court to be right, and Mr. DOUGLAS wrong."

Again, he says:

"In case he is elected President he must see the laws faithfully executed. Does he think he can keep that oath by fighting the Judiciary?"

This, bear it in mind, pretends to be a review of my exposition of Popular Sovereignty in *Harper's Magazine*. As I was rode through the streets I saw the boys circulating the article by the hundred and perhaps by the thousand, and I invite you to look into it and see if there is a word of censure of the Supreme Court or its decision. Not one word. The author of the pamphlet knew when he made the charge against me that it was an infamous falsehood. I care not who he is. There is no man in America who has made as many speeches in defence of the Court against the assaults of the Republican Party as I have.

Last year, in the Illinois canvass, I made just one hundred and thirty speeches, in every one of which I vindicated the Court. [Cheers.] The man does not live who can meet me, look me in the eye, and pretend to be honest, and assert what is insinuated in that paper. The author knows it to be false. If you look at the article in *Harper's Magazine*, which he pretends to review, you will find that so far from assailing the Supreme Court or the Dred Scott decision, I quote that decision to prove that my doctrine of Squatter Sovereignty is the true doctrine of the Constitution, and I do prove it, and yet the author of this pamphlet dare not quote a word to show that his charge that I assail the Court is true. What can be thought of the man who will prostitute a high Government office by writing deliberate falsehoods to mislead the American people? No wonder he made it anonymous. (Laughter.) No wonder he did not sign his name to it. When I write, I write my own name, and when I speak, I speak in language that cannot be misunderstood, and every one knows that I am responsible for what I say. I do not assault personal enemies through anonymous pamphlets. I do not say who the author is, but whoever he is, he is a calumniator, and knew that what he was writing was a tissue of falsehoods from beginning to end.

I will notice another statement in this pamphlet, for I understand that Ohio and the northwestern States are to be flooded with it. Speaking of me again, he says:

"He claims for the Territorial Government the right of confiscating private property on the ground that *those Governments* [as sovereign States] have an uncontrolled and independent power over all their internal affairs."

Now, this is a deliberate falsehood. I never claimed that a territory possessed the power of confiscating private property. I deny that private property can be confiscated either by a Territory or a State, or by the Federal Government. It cannot be confiscated under our Constitution by any power on earth, except it is taken away by the due process of law. This statement contains a double falsehood—first, that I advocate confiscation of private property; secondly, that I justify it on the ground that a Territory was a sovereign power. I never said that a Territory was a sovereign power. I never uttered such a piece of nonsense in any speech or report that I ever made or wrote, and the author of this statement knows that I never did, for he occupies the last two pages in proving that I have said over and over again that the Territory was not a sovereign power. [Laughter and applause.] He quotes from my report as Chairman of the Committee on Territories in the Senate, in 1856, the following:

"The sovereignty of a Territory remains in *abeyance, suspended in the United States, in trust for the people until they shall be admitted into the Union as a State. In the mean time* they are admitted to enjoy and exercise all the rights and privileges of self-government *in subordination to the Constitution of the United States*, and IN OBEDIENCE TO THE LAWS passed by Congress in pursuance of that instrument. These rights and privileges are all derived from the Constitution *through the act of Congress*, and must be exercised and enjoyed in subjection to all the limitations and restrictions which that Constitution imposes."

I affirm every word of that extract now. The Territory is no more sovereign than were the Colonies sovereign before the revolution, but while the Territories are not sovereign they have the inalienable right of self-government—of managing their own affairs and domestic institutions the same as the Colonies had prior to the Revolution. Thus you see that the author has made a deliberate attempt to misrepresent my position, and the object of the article knowing that I did not hold the sentiment he attributed to me.

After accusing me of a desire to confiscate property he goes on to say:

"On the other hand, the President, the Judges of the Supreme Court, nearly all the Democratic members of Congress, the whole of the party South, and a very large majority North, are penetrated with a conviction that no such power is vested in a Territorial Legislature, and that those who desire to confiscate private property of any kind must wait until they get a Constitutional Convention or the machinery of a State Government in their hands."

According to this new doctrine, before you can confiscate private property, you must wait until you have a State Government, and the inference is, that when you have a State Government you can confiscate it. Do you admit that the State Government of Ohio can confiscate any man's private property in the State? I deny this heresy that you can confiscate property when a Territory becomes a State any more than you can when it is in a Territory, or that you can do it in either. But these misrepresentations have been made for the purpose of attacking me and breaking the force of the position occupied by the Democratic Party.

I would be sorry to be under the necessity of replying to an attack made on myself, and if that attack was only intended for me I would not have noticed it. But it is made at me and through me at all the friends of popular sovereignty throughout the country. It is intended to hit my friend, Judge RAMSEY, who stands on the same platform as your candidate for Governor. [Cheers.] It is intended to reach and strike down the gallant DODGE, who leads the Democracy of Iowa, and stands on the same platform; it is intended to reach and strike down the gallant HEBARD, who is the Democratic candidate for Governor of Wisconsin, and stands on the same platform; it is intended to reach and strike down the indomitable BANKS, who leads the indomitable hosts as candidate for Governor in Minnesota, standing on the same platform; it is intended to reach and strike down all the Democratic candidates throughout the country who maintain the doctrine of popular sovereignty. All I can say is, that when any band or set of men attempt to declare war against this great doctrine of popular sovereignty and its advocates, they will have their hands full. [Applause.] *Whenever you have struck down the champions of popular sovereignty and its advocates in the Northwest, you have struck down the entire Democratic Party.* [Cheers.] If there is one principle on earth which binds the Democracy together with more unanimity than all others, throughout the entire land, it is this great principle of the right of every political community, loyal to the Constitution and the Union, to govern itself in respect to its internal concerns.

A New British Steamer for the Pacific.

The following notice of the British steamer *Bogota* is taken from the Liverpool *Albion* of Sept. 5. We publish it because of the interest which attaches to every improvement in the running of ocean steamers. The *Bogota* belongs to the line running between Panama and Valparaiso, touching at all the prominent ports on the coast, and which has been conducted with so much success during the last ten years.

The *Lima*, referred to in the article which we quote, after being provided with an engine on the double-cylinder principle, left Liverpool for the Pacific in June last, and her consumption of coal to Valparaiso was but little more than half that of the passage from that port to Liverpool.

The Pacific Steam Navigation Company are now building two screw steamships, to be placed on the line between Panama and Callao, touching at several ports not heretofore embraced in the itineracy of that Company.

THE BOGOTA.—We have had an opportunity of inspecting this magnificent mail steamship, the property of the Pacific Steam Navigation Company, now lying in the Huskisson Graving Dock, and recommend her to the notice of all connoisseurs in naval architecture. Her cabins are fitted up with great taste, and are models of comfort and good ventilation. This vessel has been refitted by RANDOLPH, ELDER & Co., in the Clyde, with engines on the double-cylinder principle, similar to those of the *Lima*, *Callao* and *Valparaiso*, which we formerly described at some length; and, in the case of the *Bogota*, the success, in point of economy of fuel, the great object aimed at by this new patent, has, we understand, been even more successful than that of her predecessors. We are informed that the *Bogota* has been altogether about 97 hours under steam, in the Clyde, on the run thence to this port, and at the Admiralty trial-trip in the Mersey on Friday, and the consumption of coal has been only 30 tons, (Clyde description,) or something under a ton an hour, and the speed attained has averaged fully 12¾ knots per hour, or nearly 13 knots for every ton of coal consumed. The nominal power of the engines is said to be 320 horse, worked up to 1,080 horse. She registers 1,163 tons, and is of builders' measurement 1,650 tons. The run from the Cloch to the Bell Buoy, with head and beam winds, was accomplished in 15¼ hours; and during the Admiralty trial-trip, which took place immediately on her arrival in the Mersey, she got a maximum speed of 13¾ knots an hour. As will be perceived by our advertising columns, the *Bogota* takes her departure, with mails and passengers, for the Pacific, touching at Rio de Janeiro, on Saturday next. In the meantime we would advise the public to inspect her.

At a meeting of the New-England Historic-Genealogical Society, in Boston, on Wednesday, a painting was exhibited which was executed by a Natick Indian, named Solomon Wamsycon, about the year 1730. It is painted on a smooth pine board, about five feet long, and sixteen inches in width, and represents three stags sporting under the trees, they being considerably taller than the trees aforesaid, which surround them. The picture has the appearance of having been the work of an uncultivated genius, and was at the time considered a masterpiece. The artist died in the year 1755.

A company have been boring for salt on the grounds of Mr. T. L. Drake, on the New-Haven Railroad. Last week, at the depth of 71 feet, they struck a fissure in the rock through which they were boring, when they tapped a vein of water and oil, yielding 400 gallons of pure oil every 24 hours. The pump now in use throws only five gallons per minute of water and oil into a large vat, when the oil rises to the top, and the water runs out from the bottom. In a few days they will have a pump of three times the capacity of the one now in use, and then from ten to twelve hundred gallons of oil will be the daily yield.

The inauguration of the Chelmsford (Mass.) Monument, raised to the Revolutionary dead of the town, took place on Thursday. The ceremonies consisted of music, singing, and addresses by distinguished gentlemen.

LAW REPORTS.

TRIAL OF THE VIGILANCE COMMITTEE.

The Hudson City Barber's Case—Mower vs. Begardus—Summing up of Ex-Judge Dean for the Defence and Chauncey Shafter for the Plaintiff.

The Court-room was more densely crowded than before the opening of the Court yesterday morning, a large concourse having been drawn to the scene by the announcement that counsel were to address the jury upon the case. The interest of the jury and the bar, and of the audience without the rail, was sustained throughout the session.

Ex-Judge Dean first addressed the Jury on behalf of the defendants. He relied mostly on the plaintiff's apparent contradiction of his affidavit, made to change the venue, by his testimony on the trial; and also the variance between the complaint, that affidavit and his testimony on the stand—all three of which, counsel contended, made a different statement of facts, or different statements alleged to be facts. He now testifies, said counsel, that his wrist was broken at the time he was dragged out of his office and thrown upon the pavement; he testifies that he got up and discovered that his wrist turned over upon his arm, and it was not until then that he discovered that he was surrounded by a mob, but in his complaint he has alleged that his wrist was broken by a fall while running from the mob, *after* the ring was opened, and *after* he was tarred and feathered. Counsel then alluded to the fact that the witness stated in his complaint that he sat down on a knoll after his endeavor to take refuge in the trouble, and it was then he discovered his wrist was broken, and said that the plaintiff was like the "man in our town who "was so wondrous wise," quoting the famous lines from "Mother Goose." The plaintiff had testified that the mob had blinded him with tar and sand. His eyes were out or as good as out, and he must have "scratched them in again," by the brier bush operation. As the plaintiff's counsel had made some Latin quotations for his benefit, and the benefit of the jury, he (defendant's counsel) would therefore quote some Latin, and it was "*Scripta manit.*" What is written, remains. It was thus that the plaintiff should be confounded. His own complaint and affidavits would sufficiently answer his present testimony. The complaint, affidavit and present personal evidence of the plaintiff were further compared by counsel, especially in relation to the time of his first alleged return to Hudson after his flight. Counsel contended that the defendants had shown themselves all absent, except such as had clearly shown that they were the plaintiff's friends, and did all that they could to prevent the outrage.

Among the points relied on by the defendant's counsel as law, in support of his positions, were the following: To constitute a riot there must be an unlawful assemblage, "with intent mutually to assist one another against all who shall oppose." (1 Greenl., § 216.) Therefore none can be held except those who confederate. (See Ib., § 221; 2 Camp., 356, 370; 4 Burr. 2,073; 1 Hale, P. C., 462-3.) To implicate himself a man must join himself to the others, or encourage them in some positive way, as by signs, words, gestures, or wearing a badge. A citizen may, if he sees a breach of the peace, interfere, but he is not responsible to a party injured if he does not.

Mr. Shafter then followed for the defence, and in his exodium dwelt with some earnestness upon the importance to the country at large and to this City in particular, that this jury should say that mob-law was not to condemn and Judge Lynch to execute. The rights of the public depend upon the proper administration of justice and the authority of law. If a man violated any statute he was amenable to it, and not to the tender mercies of an enraged mob. It was not denied that the plaintiff was outraged in the most brutal and inhuman manner, and the only question was—Who did it? This was shown. The evidence was sufficient to show that if the defendants did not perform the act they instigated it, and some of them were present aiding and abetting. Counsel then went into an examination of the evidence of the different witnesses, and commented at length. He was particularly severe upon the witness Crist, who was sworn for the defence. He had made claim to being a lawyer. If he was a lawyer, why did he not know who sent him the subpœna? It might be probable that his claim to the profession was about as valid as the claim of the man to be a carpenter and joiner because he had sawed wood; or the man who was a leather-dealer because he blacked boots. Why did he go to Mr. Huff with the silly lie that he did not know who subpœnaed him—as though he could not read. Every subpœna had the name of the lawyer upon it. It was evident he was trying to effect some unworthy object. He then advised Crist that if he intended to be a lawyer, to put himself into the hands of some good lawyer, who would "latter" him, and make a man of him by the time his beard grew. [The witness listened rather uneasily, but with now and then a whisper from defendant's counsel, he continued to bear with patience all that followed.]

Counsel, in conclusion, again referred to the importance of the case as a precedent, which would suppress or encourage mob law and ruffianism, and made a good point in regard to the person upon whom the violence was practiced. If a set of men were to chastise any one, let them take a person who was capable of defending himself, and not pitch upon a poor defenceless old negro. The spirit of those who had outraged him was clearly shown by their act.

Counsel closed his address by enjoining the Jury to fix a penalty that would sufficiently punish the malice, for that was the point of law. If malice was proven, it must be punished. Malice was proven by the act itself, and the Jury would meet it with the spirit of men determined to secure themselves and their own households against the hands of violence.

The following authorities were relied on by the counsel in support of his view of the liability of those who countenanced the outrage by their presence: 1 Cow. Tr. 613,111; Johns, 286; 1 Chit., P. L., (Springfield ed., 1837,) 91; Judges vs. Cook, 11 Barb., 642; Coats vs. Darby, 2 Const., 517; case of Knapps and Chowenwood, tried for the murder of Ezra White, at Salem.

After the conclusion of the summing up, the Court stated to the Jury that they might receive their charge on Saturday or Monday, as they desired. It was finally agreed that Monday should be the day, and after the Judge had cautioned the Jury against outside influence, the Court adjourned.

CORRUPTION AT THE CITY HALL.

Terence Farley and the Street Department—Application to Restrain Contractor from Grading Fifty-eighth-street—A Test Case.

The case of *Stephen V. Appleby* vs. *The Mayor, Aldermen, &c., and Terence Farley*, was yesterday argued before the General Term of the Supreme Court, before Justices ROOSEVELT, SUTHERLAND and CLERKE, on an appeal from the Special Term. The following is the history of the case: In December, 1856, the Common Council adopted an ordinance that Fifty-eighth-street, between Eighth and Ninth avenues, be graded. In pursuance of the ordinance, Joseph S. Taylor, then Street Commissioner, issued a notice to contractors, calling for sealed proposals to do the work, in which he stated that 4,501 cubic yards of earth and 12,286 cubic yards of rock would be required to be excavated.

Some seven or eight proposals were received by the Commissioners, and on the 21st of April, 1857, he sent a communication to the Common Council, stating that of that number Terence Farley was the lowest bidder, and also giving the names of the other bidders, and the amount by each proposed. According to the estimate of the amount of excavation to be made, Farley was to receive $8,470 25 for doing the work; but the contract did not state that Farley was to be paid for removing only the number of yards stated, *but 25 per cubic yard for all the earth removed.*

On the 6th of July, 1859, the plaintiff, who was a tax payer, and to be taxed for the labor to be done under the said contract, brought suit in his own and the behalf of others, to set aside the contract between Farley and the Corporation, on the ground of fraud and collusion between him and Mr. Taylor, the Street Commissioner.

The complaint set up that the plaintiff and others interested, had the distance to be graded surveyed, and that upon actual survey, the amount of rock to be excavated did not exceed 7040 cubic yards, and that the earth excavation would be about 6945 cubic yards—all not exceeding 14,000 yards; and charged that the Street Commissioner had made his estimate without survey, and that he had exaggerated the amount of rock excavation to deter contractors from bidding, while Farley was privy to the fact of the exaggeration, or misstatement. The complaint also stated and alleged that Farley was, in fact, the highest bidder instead of the lowest, and that the communication of the Street Commissioner to the Common Council in relation thereto was untrue, and was intended to deceive, and did deceive, that body, and that the contract was confirmed by that body, and approved by the Mayor, Mr. Wood, in consequence of such false representations and estimates of the Street Commissioner.

The complaint alleged that by the proposal of C. C. Ellis, one of the bidders for said contract, the entire work would not cost over $7,377 75, whereas, by Farley's contract, he would actually receive $12,846 25, most of which additional sum would be assessed upon the property of the plaintiff.

The complaint also alleged that the plaintiff had made inquiries at the Street Commissioner's Office, and that he had been there informed that there was no other survey or estimate of the work to be done by Farley, than the one mentioned in the notice to contractors by the Commissioner. The answer set up general and counter allegations in relation to the main charges of the complaint.

On the trial one of the witnesses for the plaintiff, William O. Leggett, a clerk in the office of the Street Commissioner, testified that there was a survey of the work done and to be done by Farley, made by E. L. Viele, a City surveyor. The survey was produced. E. L. Viele, the surveyor, was put upon the stand for the plaintiff, and testified that he made the survey for the Commissioner. It was made as a guide for bidders. He did not suppose it was to be made the basis of a contract.

Farley testified in his own behalf that he never had any negotiations with the Street Commissioner in regard to the contract; he had never seen the bid since it was put in, and was not an intimate friend of the Commissioner, and that the estimate of the Commissioner was supposed to be correct.

The testimony being all in, the Court, Judge DAVIES, held that from the evidence in the case, Farley was the *highest* instead of the lowest bidder, and that any contract so made under the charter was void. Judgment was entered, declaring the contract illegal and void, and granting a perpetual injunction restraining defendant Farley from doing the work under the contract, and the Corporation from permitting it to be done under the contract.

Appeal was then taken by Farley to the General Term, on the ground that the Court at Special Term erred in holding that the contract was void in consequence of its conflict with the amended charter of 1853.

It was now argued at General Term, by his counsel, on above point stated in the notice of appeal, and some other minor points, such as that the plaintiff had no standing in Courts he could not assume to supervise the expenditures of the public moneys, no more as an owner of real estate liable to assessment, than as a mere freeholder liable to be taxed at large. That assuming that the estimate by which the bids were tested was erroneous, still that is no ground to set aside the contract as between Farley and the City; that no fraud was proven, and it was only in such cases that a contract could be set aside as void.

The respondent now contended, as in the Court below, that the contract was illegal because it was not awarded to the lowest bidder, and should therefore be set aside. It should be set aside because the proposals and estimate did not state the quantity and quality, or nature and extent of the work required, "as near as possible." It should be set aside because it was entered into between the Street Commissioner and Farley, before it was authorized by the Board of Aldermen. It should be set aside because it was not accompanied by the justification of sureties or any affidavit that the sureties were freeholders, or worth the amount of the security. The contract should be set aside because the proposals, estimates, contracts and papers relative thereto had not been laid before the Common Council. As to the competency of the plaintiff to move for the injunction, the respondent contended that as an owner of six lots on the street to be graded, and liable to be largely assessed for the proposed improvements, he had such a *special and direct* interest in the matter of the controversy as to warrant his application to the Court for its interference to prevent the injury to himself and other owners in the same street, which will be occasioned if the contract is allowed to be performed.

Decision reserved.

Vanvorst and Beardsley, for plaintiff; Monell, Willard and Howe, for defendant, Farley.

TRIAL FOR SWINDLING.

John McAlpine Arraigned for Robbing a Governess—One of Three Indictments.

John McAlpine, *alias* Col. Marmaduke Reeves, of the British Army, *alias* Col. Johnstone, of Charleston, S. C., *alias* Walter Mack, of Cuba, *alias* Col. Bruce, of Cuba, *alias* Mr. Prince, *alias*—but we have no more room to spare for his other *aliases*—was yesterday placed at the bar of the Court of General Sessions, Judge RUSSELL presiding, charged, on the first of three indictments, with robbing a young lady, a governess, of a carbuncle ring. McAlpine is an old offender, and has served a term of two years in the State Prison. The following evidence will show the nature of the present charge against him:

John W. Sparks, Assistant Clerk of the Court of General Sessions, being duly sworn, deposed to the fact of McAlpine's previous conviction in June, 1852, of embezzlement, before Recorder TILLOU, and to his having been sent for two years to the State Prison.

Cora L. Woodbine, examined: I am 25 years of age; I am a governess; I have been governess in the family of Mr. Brown, at Providence, R. I., and of Mr. H. W. Johnston of this City; I was in New-York on the 25th of August last; I inserted an advertisement in the newspapers for a situation to teach German, French, and the English branches; I received but one answer; I have not that answer now; the answer was to the effect that if the advertiser had the highest testimonials and references, she would obtain a desirable situation in the family of a gentleman who was on the point of returning to a tropical climate to reside. "Please to address Walter Mack, Post-office, Station D., Bible House." I went to some friends and showed them the answer; they said they thought it was very good, and I went home and wrote to Mr. Mack that I would be at home, at No. 135 Hudson-street, where I was boarding, the next morning, from 11 to 2 o'clock; on Monday, Aug. 29, about 12, a gentleman calling himself Walter Mack called on me; I asked him to go into the parlor (there were one or two gentlemen in the parlor, and he said he did not wish to go in, as he did not wish any listeners; I remained with him in the entry; he asked for my references, and made several inquiries as to my capacity to teach; I presented him six written testimonials from persons who had employed me; he read them carefully; there were some German testimonials; he said he did not understand German; he asked if I could play the piano and sing; wanted to know if I spoke French fluently; I said I did; he asked if I had any objection to walk with him to St. John's Park, where he would speak more freely; I went with him there, and after sitting down in the Park, he asked me the same questions over again; he then said that perhaps I might have some objection to accompany him, as he was a widower; I said if he behaved himself properly, and conducted himself as a gentleman, as I thought he was, I should have no objection; he said I should believe there was no one who thought so much of a point of honor as himself; he promised I should have everything to make my home comfortable with his children; I then asked him if his children were in town; he said they were at a boarding-school in Philadelphia; he then asked me what amount of salary I should expect, and I said as it was to go South, I should want $500; he agreed to give that amount; I told him that after I was engaged I should require him to pay my board, if he remained long in the City; he asked me if I would accept the engagement immediately; I replied that I could not decide so quickly; he said he must have an immediate answer, as he had several others who would be glad to accept the offer; he told me he would give me till evening to decide, and that I should meet him for that purpose in Washington-square; I objected to that, saying it was not a fit place to make a business engagement; I asked him if it would not be better to give me his address at his hotel; he said he had a great deal of business, and had an engagement at seven o'clock, and that it would be more convenient for him to see me there; we then left St. John's Park, and he remarked, on leaving, that I had been so long governess, I must have a large sum of money; I told him it was not the case, as I had lost all in a school speculation; and for that reason I wanted a situation immediately; I then left him, and met him at six o'clock; I met him again at Washington-square; he asked me what terms I had decided to engage with him; I told him I had; I then told him I was short of money, and as I had made the engagement, that he should pay my board from that time; he said he would agree to do so, and he would take me to board at a hotel; as he did not know how long he would stay, as he expected every day letters which would decide him when to leave; he told me to tell my landlady that I must leave on Thursday following, and at that time he would inform me decidedly when he would quit the City; he told me to meet him at Post-office Station D on Thursday afternoon, Sept. 1, at four o'clock; I then parted from him, and met him at the Post-office at the time agreed upon; he told me to walk with him to the Everett House, as he had an appointment with a gentleman there on business; I accompanied him, and arriving at Union-square, he told me to wait a few minutes, while he would walk into the Everett House and see his friend; he returned in a few minutes, and seemed to be vexed and displeased, holding in his hand a letter; he told me he was angry because he had missed the appointment with his friend; he expected that friend, who was an agent, was to have given him $200 or $400, and that he had no money whatever in hand; he said his friend had waited over fifteen minutes for him; I told him he could not be so short of money as not to have enough to pay my board; on which he said he had been with some friends up the Hudson River, and had spent more money than he intended; that he knew very well he could draw at any time any amount of money that he chose, but that the banks were closed, and he could not draw till the next day; he asked me if I had any money; I told him I had not—at least I had some, but I did not consider it mine, as it was to pay my board; I had $10 for that purpose; he asked me to lend him some; I gave him $5, which he took; he then said he wished me to come to the Clinton-place Hotel, as he thought it better for me to take the name of Mrs. Bruce, as he being a widower, the hotel-keeper may not think it proper for him to pay board for a young lady; I told him I did not like to do so, as I thought my name was as good as any other; he replied that as I was a stranger to him, he thought I ought to do what he considered proper, particularly as it was to my interest; I agreed to do so, as I could not help myself; I returned home and went to the Clinton-place Hotel; I inquired if rooms had been taken for Mrs. Bruce, which he had agreed to do; they said no person of that name had been there; the book-keeper showed me to a room; I said I would wait until Mr. Bruce should come; he had told me to call him Mr. Bruce; I waited till 7 o'clock, when I rang the bell, and asked the waiter if a gentleman had been there to order a room; I wrote the name of Bruce on a card, and he went down and made inquiries; he said there was not; I remained there that night, and the prisoner came the following morning to the Hotel and soon directed me to order breakfast; I had a fine carbuncle ring, which I always wore on the forefinger; I held it out to show it to him, and he tore it off my finger before I was aware, and put it on his little finger; just at the time the servant came in, bringing the ticket for the breakfast, and I did not think of asking it back again at the time; he took the ticket, and I asked him if he would pay for the breakfast; he said he had not drawn any money yet, and I handed him my pocket-book to take out the amount necessary; instead of handing me back the pocket-book, he put it in his pocket; he said he was in a great hurry, and must leave immediately; he stated also that his watch had stopped and he had to take it to Tiffany's; in consequence he borrowed mine, as he was very much in need of knowing the time; he left, saying he would come again in the evening; I did not see him again until Monday, the 5th September, at 11 o'clock; it was on Saturday he took the watch; I had stayed only ten minutes; he asked me if I had any more money; I replied I had not; he asked me to borrow some from a friend, as he had not been able to see his agent, but he would get money the next day; he said he could borrow some himself, but he was too proud to borrow a small sum; he said he never borrowed less than $100. I said I would borrow some, and he came the next day, and said I must prepare to leave; in the evening he came again quite late, and asked me if I had all my trunks ready, as he had to leave immediately; he said he would get a cart for my things; he went down stairs and told me to follow; at the door he told me to see if I could find a carman, while he went to pay the bill; there was a carman outside and he called him to take all my trunks to the Jersey City ferry; the carman took the trunks; the prisoner put me into a stage to go to Jersey City Ferry, and wait for him; I went to the Ferry and waited till 10½ P. M., and then came back to the Hotel, thinking perhaps I had made a mistake; I did not see him again; I made a complaint against him, and the Judge suggested I should write a letter to him directed to him at Station D; the object was to entrap him; I never got back the ring; there the prisoner McAlpine drew the ring from his pocket and exhibited it; he asked me in the Hotel if I had fine clothes in my trunks.

This was the whole of the direct examination. The witness was cross-examined by Mr. Jonas B. Phillips, but her previous testimony was not shaken.

Officer Freeman of the Twenty-sixth Precinct, testified to arresting McAlpine at the Post-office, Station D, Bible House. He had a red stone on his finger at the time of his arrest; he was searched and a watch and chain, and a pocket-book and some letters were found on him. The ring was not produced at the prisoner's previous examination before Judge BRADY.

For the defence, Mr. Traitel deposed that he was a jeweler, and was acquainted with the value of precious stones; the stone in the ring belonging to Miss Woodbine did not look like a genuine carbuncle, and was only worth three or four dollars; if it were a real carbuncle it would not be worth $25.

This testimony reduced the alleged offence of McAlpine from grand larceny to petit larceny. The other evidence for the defence was unimportant. Mr. J. B. Phillips summed up for the defence, and Mr. Doyle replied for the prosecution. The Court will charge the jury this morning.

The remaining indictments against the prisoner are for the larceny of the watch and the trunks. The latter contained wearing apparel valued at over one hundred dollars.

Decisions in the Supreme Court, General Term, Before Justices Roosevelt, Ingraham and Lott.

AN EXECUTORY OR TIME CONTRACT TO BUY NICARAGUA TRANSIT STOCK—DISSOLUTION OF THE COMPANY A DEFENCE.

Isaac Kiff, Jr., vs. *Erastus P. Munro et al.*—This was an action upon a contract for the sale of stock on time, by which the defendants had purchased from the plaintiff stock in the late Nicaragua Transit Company. After the defendants had entered into the agreement, but before the agreement had been executed by the transfer of scrip and payment of the price, it transpired that the charter of the Company had been revoked prior to the date of the contract. The purchasers thereupon declined to take the stock, and the seller brought the present action for damages.

Further facts are stated in the opinion.

BY THE COURT—ROOSEVELT, P. J.—The defendants, although partners, carried on their business in the sole name of Fleming; and the present action is brought on the following contract made by them in that manner:

100 shares 23 B. 30. NEW-YORK, March 4, 1856.

I have purchased of Isaac Kipp, Jr., one hundred (100) shares of the stock of the Nicaragua Transit Company at twenty-three (23) per cent., payable and deliverable, buyer's option, in thirty days, with interest at the rate of six per cent. per annum. A. FLEMING.

On the trial before the Referee the defendant offered to prove that the Rivas Government made a certain decree, a certified copy of which was produced duly authenticated, and that this decree was promulgated in the public square of Granada, the place where decrees are promulgated, the residence of the Government, about the 15th of February, 1856; that the Government which made the decree was the Government at the time, and had full power and right to make such decree, and that such decree had been carried into effect.

The Referee, however, excluded the evidence, and, as we think, erroneously.

Had the decree been admitted, it would have shown, or, at least, have tended to show, that at the time of making the contract the charter of the company and all its privileges had, without the knowledge of the defendants, been "revoked and annulled," and the company itself "dissolved and abolished." It would, in other words, have shown that the thing contracted for had substantially no existence. What the defendants bought, or agreed to buy, was one hundred shares of stock in a living company, and not a proportionate undivided interest in the remaining assets of a dead company, in the hands of a receiver.

In the case of Benedict vs. Field (16 New-York Reports, 595) the Court of Appeals held that, upon an executory contract for the delivery of goods, to be paid for on arrival in the notes of a third party, if that party becomes insolvent before delivery, the seller is not bound to deliver the goods and accept the notes, although the notes at the time may not be entirely worthless. So that stating the transaction in another form, as an executory purchase of notes to be delivered, paid for in goods at a future time, the authority is precisely in point. The notes of an individual and the stock certificates of a company are equally choses in action, and so far as insolvency is concerned, stand on the same footing. The fact that the insolvency in the present case occurred before instead of after the date of the contract, can make no difference, as the defendants had no knowledge of the revocation until a subsequent period.

The report of the referee, and the judgment entered thereon, should be set aside, and a new trial had—costs to abide the event.

REPORT OF REFEREE SET ASIDE.

William Dibbles vs. *Henry Maillard.*—BY THE COURT.—ROOSEVELT, J.—Although the sum awarded by the referee ($250) is not excessive in itself, it is out of proportion to the damage proved. We think the referee, while justly rejecting so much of the claim as was founded on the alleged injury resulting from heat, and from the condensed steam which penetrated the roof of the shed, which the plaintiff himself had constructed against the defendant's wall, instead of building a wall of his own, has, nevertheless, unconsciously permitted the evidence on that point to aggravate the amount allowed by him for the alleged injury and annoyance; in other respects, from the "soot, smoke, steam and vapor which came from the chimney and steam escape pipe, into the yard and back windows of plaintiff's house.

We are reluctantly therefore compelled to set aside the report as against the weight of (admissible) evidence, and to order a new trial on payment of costs.

Order accordingly.

AN EXECUTORY CONTRACT OF SALE, AND THE VENDEE IN POSSESSION IS A GOOD EXECUTION OF A POWER INTERRUPT TO SELL.

Nicholas L. Demarest and others vs. *Robert Ray, Executors, and others.*—BY THE COURT—ROOSEVELT, J.—This is a case agreed upon and submitted under the Code without pleading or arguments. We have given it all the "consideration" which, without th

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aid of counsel, it could receive, and have come to the conclusion that the points insisted on by the defendants are not well founded.

Mr. Richard Ray, by his will, authorized the executors, if they should consider it advisable, to sell such number of lots not exceeding the number of 25 by 100 feet, as might be necessary to pay charges and assessments.

A sale may be made as well by an executory contract as by a deed of present conveyance and sale. The contract in question, therefore, being authorized by the will, was to the extent of the number of square feet embraced in and subject to the contingency of its possible non-fulfilment, an exercise of the power, especially if, as in this case, the vendee was let into actual possession, and subsequent purchasers were duly informed of the fact. The deed, in such case, when delivered, relates back to the contract, and has the same effect against subsequent purchasers with notice, as if it had been delivered on the day of the sale.

The defendants knew that the power of the executors had been conditionally exhausted. They took their deeds, therefore, subject to the chance of their being in part inoperative, in case the sales made to their predecessors should be consummated by a fulfillment of the conditions.

Judgment for plaintiffs, declaring their right and title to be paramount to those of the defendants, and that the deeds to the plaintiffs are "legal, valid, and binding, and have conveyed to and vested in the plaintiffs the title of the lots therein mentioned in fee."

Minor Orders, References and Decisions.

SUPREME COURT—CHAMBERS—BEFORE JUSTICE INGRAHAM.

Henry Matthews, surviving executor, &c., vs. *Elizabeth Young and others.*—Referred to David A. Fowler, Esq., to examine as to matters in petition, and to report thereon.

SUPERIOR COURT—SPECIAL TERM—BEFORE JUSTICE BOSWORTH.

Joseph A. Kitting vs. *George E. Vanderhoven et al.*—The defendant, McAlpine, is not guilty of the misconduct charged against him. No costs are allowed to the defendant against the receiver as ordered.

BEFORE JUSTICE HOFFMAN.

The Metropolitan Bank vs. *

BILLIARDS.

BILLIARD SALOONS FOR SALE.—A first-class Saloon, with 4 tables, in a good location, for $1,000. Also, a Saloon with 2 tables, for $500. Also, a Saloon with 2 tables, for $400. Also, a Saloon with 1 table, for $300. Also, a Saloon with 1 table, for $200. Also, a Saloon with 1 table, for $150. Also, a Saloon with 1 table, for $100. Also, a Saloon with 1 table, for $50. Also, a Saloon with 1 table, for $25. Also, a Saloon with 1 table, for $10. Also, a Saloon with 1 table, for $5. Also, a Saloon with 1 table, for $2. Also, a Saloon with 1 table, for $1. Also, a Saloon with 1 table, for 50 cents. Also, a Saloon with 1 table, for 25 cents. Also, a Saloon with 1 table, for 10 cents. Also, a Saloon with 1 table, for 5 cents. Also, a Saloon with 1 table, for 2 cents. Also, a Saloon with 1 table, for 1 cent. Also, a Saloon with 1 table, for half a cent. Also, a Saloon with 1 table, for a quarter of a cent. Also, a Saloon with 1 table, for an eighth of a cent. Also, a Saloon with 1 table, for a sixteenth of a cent. Also, a Saloon with 1 table, for a thirty-second of a cent. Also, a Saloon with 1 table, for a sixty-fourth of a cent. Also, a Saloon with 1 table, for a one-hundred-and-twenty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-fifty-sixth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twelfth of a cent. Also, a Saloon with 1 table, for a one-thousand-and-twenty-fourth of a cent. Also, a Saloon with 1 table, for a two-thousand-and-forty-eighth of a cent. Also, a Saloon with 1 table, for a four-thousand-and-ninety-sixth of a cent. Also, a Saloon with 1 table, for a eight-thousand-and-one-hundred-and-ninety-second of a cent. Also, a Saloon with 1 table, for a sixteen-thousand-and-three-hundred-and-eighty-fourth of a cent. Also, a Saloon with 1 table, for a thirty-two-thousand-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-thousand-and-five-hundred-and-thirty-sixth of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-thousand-and-seventy-second of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-thousand-and-one-hundred-and-forty-fourth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-thousand-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-million-and-forty-eight-thousand-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-million-and-ninety-seven-thousand-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-million-and-one-hundred-and-ninety-four-thousand-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-million-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-three-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a sixty-six-million-and-three-hundred-and-one-hundredth of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-two-million-and-six-hundred-and-fifty-fourth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-five-million-and-three-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-thirty-one-million-and-seven-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a one-billion-and-sixty-two-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a two-billion-and-one-hundred-and-twenty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a four-billion-and-two-hundred-and-forty-eight-million-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a eight-billion-and-one-hundred-and-ninety-seven-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a sixteen-billion-and-three-hundred-and-eighty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a thirty-two-billion-and-seven-hundred-and-sixty-eight-million-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a sixty-five-billion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-billion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-billion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-billion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-trillion-and-forty-eight-billion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-trillion-and-ninety-seven-billion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-trillion-and-one-hundred-and-ninety-four-billion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-trillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-trillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-trillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-trillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-trillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-trillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-trillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-quadrillion-and-forty-eight-trillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-quadrillion-and-ninety-seven-trillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-quadrillion-and-one-hundred-and-ninety-four-trillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-quadrillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-quadrillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-quadrillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-quadrillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-quadrillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-quadrillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-quadrillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-quintillion-and-forty-eight-quadrillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-quintillion-and-ninety-seven-quadrillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-quintillion-and-one-hundred-and-ninety-four-quadrillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-quintillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-quintillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-quintillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-quintillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-quintillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-quintillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-quintillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-sextillion-and-forty-eight-quintillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-sextillion-and-ninety-seven-quintillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-sextillion-and-one-hundred-and-ninety-four-quintillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-sextillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-sextillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-sextillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-sextillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-sextillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-sextillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-sextillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-septillion-and-forty-eight-sextillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-septillion-and-ninety-seven-sextillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-septillion-and-one-hundred-and-ninety-four-sextillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-septillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-septillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-septillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-septillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-septillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-septillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-septillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-octillion-and-forty-eight-septillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-octillion-and-ninety-seven-septillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-octillion-and-one-hundred-and-ninety-four-septillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-octillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-octillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-octillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-octillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-octillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-octillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-octillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-nonillion-and-forty-eight-octillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-nonillion-and-ninety-seven-octillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-nonillion-and-one-hundred-and-ninety-four-octillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-nonillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-nonillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-nonillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-nonillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-nonillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-nonillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-nonillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-decillion-and-forty-eight-nonillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-decillion-and-ninety-seven-nonillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-decillion-and-one-hundred-and-ninety-four-nonillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-decillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-decillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-decillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-decillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-decillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-decillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-decillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-undecillion-and-forty-eight-decillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-undecillion-and-ninety-seven-decillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-undecillion-and-one-hundred-and-ninety-four-decillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-undecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-undecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-undecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-undecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-undecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-undecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-undecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-duodecillion-and-forty-eight-undecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-duodecillion-and-ninety-seven-undecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-duodecillion-and-one-hundred-and-ninety-four-undecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-duodecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-duodecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-duodecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-duodecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-duodecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-duodecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-duodecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-tredecillion-and-forty-eight-duodecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-tredecillion-and-ninety-seven-duodecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-tredecillion-and-one-hundred-and-ninety-four-duodecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-tredecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-tredecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-tredecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-tredecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-tredecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-tredecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-tredecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-quattuordecillion-and-forty-eight-tredecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-quattuordecillion-and-ninety-seven-tredecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-quattuordecillion-and-one-hundred-and-ninety-four-tredecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-quattuordecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-quattuordecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-quattuordecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-quattuordecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-quattuordecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-quattuordecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-quattuordecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-quindecillion-and-forty-eight-quattuordecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-quindecillion-and-ninety-seven-quattuordecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-quindecillion-and-one-hundred-and-ninety-four-quattuordecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-quindecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-quindecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-quindecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-quindecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-quindecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-quindecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-quindecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-sexdecillion-and-forty-eight-quindecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-sexdecillion-and-ninety-seven-quindecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-sexdecillion-and-one-hundred-and-ninety-four-quindecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-sexdecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-sexdecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-sexdecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-sexdecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-sexdecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-sexdecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-sexdecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-septendecillion-and-forty-eight-sexdecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-septendecillion-and-ninety-seven-sexdecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-septendecillion-and-one-hundred-and-ninety-four-sexdecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-septendecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-septendecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-septendecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-septendecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-septendecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-septendecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-septendecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-octodecillion-and-forty-eight-septendecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-octodecillion-and-ninety-seven-septendecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-octodecillion-and-one-hundred-and-ninety-four-septendecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-octodecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-octodecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-octodecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-octodecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-octodecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-octodecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a five-hundred-and-twenty-four-octodecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a one-novemdecillion-and-forty-eight-octodecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a two-novemdecillion-and-ninety-seven-octodecillion-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a four-novemdecillion-and-one-hundred-and-ninety-four-octodecillion-and-three-hundred-and-four-hundredth of a cent. Also, a Saloon with 1 table, for a eight-novemdecillion-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a sixteen-novemdecillion-and-five-hundred-and-seventy-sixth of a cent. Also, a Saloon with 1 table, for a thirty-two-novemdecillion-and-seven-hundred-and-sixty-eighth of a cent. Also, a Saloon with 1 table, for a sixty-five-novemdecillion-and-five-hundred-and-thirty-six-million-and-one-hundred-and-fifty-second of a cent. Also, a Saloon with 1 table, for a one-hundred-and-thirty-one-novemdecillion-and-seventy-three-million-and-two-hundred-and-eighty-eighth of a cent. Also, a Saloon with 1 table, for a two-hundred-and-sixty-two-novemdecillion-and-one-hundred-and-forty-four-million-and-two-hundred-and-eighty-eighth of a cent. 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The New-York Times.

NEW-YORK, SATURDAY, SEPT. 30, 1865.

NEW-YORK TIMES.

The New-York Times Building, Nassau and Frankfort streets, 2 doors from the Park, New-York, Entrance, No. 9 Frankfort-st.

The New-York Times (Semi-weekly)—Three Dollars per annum in advance.

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Letters should be addressed to the New-York Times, New-York.

NEWS OF THE DAY.

Additional intelligence from the dispatch tertocay by the Overland Mail. The report of Secretary Seward's already favorable condition is confirmed, and the Secretary is expected to resume his duties in a few days.

Gov. Parker, of New-Hampshire, and Lieut.-Gov. Bullock, of Massachusetts, have ceased their visits to the Eastern States, and returned to their homes.

Gen. Sheridan has issued an order forbidding the sale of liquor to the troops in the Department of the Gulf, except by authority of the Commanding General.

The Rebel Commissioners, recently released from Fort Warren, have arrived at Richmond, and have been received by the people with great enthusiasm.

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SEPTEMBER 24, 1859.

INSTRUCTION.

HOUSE WASHINGTON COLLEGIATE INSTITUTE,
BOARDING AND DAY SCHOOL,
No. 26 to 34 East 45th-st., New-York.

FRENCH AND ENGLISH BOARDING AND DAY SCHOOL FOR YOUNG LADIES,
No. 19 West 20th-st., near 5th-av.

MISS HAINES
will open her English Boarding and Day School for Young Ladies, at No. 16 Clinton-pl., on Monday, Sept. 26.

MISS GARDNER'S SCHOOL
will open on Monday, Sept. 26, at No. 10 West 33d-st.

MISS C. A. HAVEMEYER'S SCHOOL
will open on Monday, Sept. 26, at No. 10 West 33d-st.

**MISS GIBB

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No. 37 Park-row.

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respectable woman who understands her business thoroughly. Can be seen for two days at No. 19 Bleecker-st

CITY INTELLIGENCE.

BROOKLYN INTELLIGENCE.

Brooklyn Academy of Music—Only $10,000

An adjourned meeting of the subscribers to the stock for the proposed Academy of Music in Montague-street was held last evening at the Polytechnic Institute. The chairman, Mr. Sloane, called for the reports from the committees of twenty-five, appointed at the last meeting of the subscribers, to obtain subscriptions. Mr. Freeman in response to this call, by stating that the work at had been so nearly during the past week, that the Committee had had little opportunity to canvass. He therefore thought they would have done something better were the circumstances. He reported $10,000 subscribed. Mr. Sloane, called for the reports from the committee of twenty-five, appointed at a meeting held at the house of Mr. B. Woolley, in Montague-street, on the evening of Sept. 15, reported that the Committee had met with much encouragement, and had obtained subscriptions amounting to $5,000. The Committee had been instructed to call upon the subscribers to the stock, and to solicit additional subscriptions. Mr. Freeman said